

REGULAR MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Friday, October 3, 2025
9:00 a.m.
Commission en Banc Courtroom
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDER.....Commission’s Chair, Chairman Russell
ROLL CALL.....Presiding Appellate Officer, Commissioner Tilly
BUSINESS.....Presiding Appellate Officer, Commissioner Tilly

STATEMENT OF COMPLIANCE BY CHAIRMAN

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION

A. MINUTES:

- The drafted Minutes of the Regular Appeals Meeting of August 15, 2025, were considered for approval.

Motion: Commissioner Biggs made a motion to approve the Regular Appeals Meeting of August 15, 2025, minutes.

Second: Commissioner Tilly

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: MINUTES APPROVED

B. Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges

1. Donald Cowan v. Linde Inc. and Old Republic Ins. Co., File #CM3-2023-05779M

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Michael R. Greene appeared for the Claimant and Bert M. Kendrick appeared for the Respondent.

Motion: After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to affirm the Administrative Law Judge's order and authorized the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

2. James Dawson v. Guardian Pharmacy Services Management and Sompo America Insurance Company, File #CM3-2024-00429G

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Donald E. Smolen II and Michael Flynn are the attorneys of record for the Claimant. Lee Endicott appeared for the Respondent.

Motion: Commissioner Biggs moved to continue this case to the next appeals docket.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: CASE CONTINUED

3. James Pennover v. Batesville Services LLC and American Zurich Ins. Co., File #CM3-2024-05365X

Claimant filed an appeal from the order issued by Administrative Law Judge Curtin. Bret Unterschuetz appeared for the Claimant and H. Grady Parker Jr. appeared for the Respondent.

Motion: After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to affirm the Administrative Law Judge's order and authorized the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

4. **Johnny Schmidt v. Spartan Nash Co. and Indemnity Ins. Co. of N. America, File #CM3-2024-06356J**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Joe Farnan appeared for the Claimant and R. Jay McAtee appeared for the Respondent.

Motion: After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to take this case under advisement.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: TAKEN UNDER ADVISEMENT

5. **Steven Woods v. Riverside Transport Inc. & Transco Lines and Triumphe Casualty Company, File #CM3-2025-00852E**

Respondent filed an appeal from the order issued by Administrative Law Judge McMillin. Greg G. Fuller appeared for the Claimant and R. Jay McAtee appeared for the Respondent.

Motion: After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to affirm the Administrative Law Judge's order and authorized the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

6. **Ethan Mahurin v. Hollifield Service Co. LLC and COMPSOURE Mutual Insurance Company, File #CM3-2024-06705A**

Respondent filed an appeal from the order issued by Administrative Law Judge Blodgett. Margaret E. Otterson appeared for the Claimant and R. Dean Lott appeared for the Respondent.

Motion: After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to affirm the Administrative Law Judge's order and authorized the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ALJ ORDER AFFIRMED

7. Jeremy Lewis v. City of Moore/Moore Public Schools, File #CM3-2025-01063P

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Brandon J. Burton appeared for the Claimant and Jon L. Derouen Jr. appeared for the Respondent.

Motion: After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to take preliminary action to reverse and remand the ALJ's order.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ALJ ORDER REVERSE AND REMANDED

C. Commission Consideration of Adoption of Final Order in the Following Cases:

1. Ryan Hennessey v. CSI Fire Equipment, File #CM3-2024-00553M

Respondent filed an appeal from the order issued by Administrative Law Judge Blodgett. Ryan Hennessey represented himself, pro se and Matthew J. Graves appeared for the Respondent.

This case came on for Oral Argument on August 15, 2025. After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to take preliminary action to remand the ALJ's order for an IME.

Motion: Commissioner Biggs moved to adopt the order as proposed and circulated.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ORDER ADOPTED

2. Carlissa Ruff v. FYDAQ Transport Inc. and Firemens Ins. Co. of Washington D.C., File #CM3-2022-05123G

Claimant filed an appeal from the order issued by Administrative Law Judge Lawyer. Michael Flynn appeared for the Claimant and Nichole S. Bryant appeared for the Respondent.

This case came on for Oral Argument on August 15, 2025. After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to take preliminary action to include the other body parts and affirm the order.

Motion: Commissioner Biggs moved to adopt the order as proposed and circulated.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ORDER ADOPTED

3. **Brent Smith v. Groendyke Transport Inc. and Great West Casualty Company, File #CM3-2023-05175W**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Susan H. Jones appeared for the Claimant and Nichole S. Bryant appeared for the Respondent.

This case came on for Oral Argument on August 15, 2025. After reviewing the record, hearing oral arguments, and deliberating, Commissioner Biggs moved to take this case under advisement.

Motion: Commissioner Biggs moved to continue this case to the next appeals meeting.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: ORDER CONTINUED

ADJOURNMENT

Motion: Commissioner Biggs moved to adjourn the meeting at approximately 12:21 p.m.

Second: Chairman Russell

Those Voting Aye: Chairman Russell, Commissioner Tilly, and Commissioner Biggs.

THE MOTION CARRIED: MEETING ADJOURNED